

# HOUSE BILL REPORT

## HB 1242

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### As Reported By House Committee On:

Transportation Policy & Budget

**Title:** An act relating to motorcycle equipment.

**Brief Description:** Revising motorcycle equipment laws.

**Sponsors:** Representatives Delvin, Smith, L. Thomas, McMorris, Koster, Mielke, Wood, Hatfield, Sherstad, Radcliff, O'Brien, Sheldon, Cairnes, D. Schmidt, Quall, Huff, Thompson, Dickerson, Buck, Costa, Scott, DeBolt, Johnson, Ballasiotes, Murray, Lisk, Cooke, Hankins, Zellinsky, Pennington, Mastin, Poulsen, Dunn and Mason.

### Brief History:

#### Committee Activity:

Transportation Policy & Budget: 1/30/97, 2/4/97 [DP].

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## HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

**Majority Report:** Do pass. Signed by 16 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Backlund; Buck; Cairnes; Chandler; Constantine; DeBolt; Hatfield; Johnson; O'Brien; Radcliff; Scott; Skinner; Wood and Zellinsky.

**Minority Report:** Do not pass. Signed by 7 members: Representatives Mitchell, Vice Chairman; Fisher, Ranking Minority Member; Blalock, Assistant Ranking Minority Member; Cooper, Assistant Ranking Minority Member; Murray; Ogden and Robertson.

**Staff:** Mary McLaughlin (786-7309).

**Background:** The mandatory motorcycle helmet law was enacted in 1967, repealed in 1977, and reenacted in 1987 (under the age of 18). Since 1990 it has been illegal for any person to ride a motorcycle, motor-driven cycle or moped without wearing a helmet approved by the Washington State Patrol (WSP), except when operating an antique motorcycle, an automobile that is licensed as a motorcycle, or when the cycle is equipped with seat belts and roll bars approved by the WSP.

The WSP is responsible for adopting guidelines for motor vehicle equipment standards and procedures through administrative rule. Motorcycle helmets, goggles, glasses and face shields must conform with WSP rules. It is illegal to rent out a motorcycle, motor-driven cycle or moped unless the person also has helmets on hand to rent that conform to WSP rules; the same applies to the person who rents the cycle.

Mirrors are not required on a motorcycle manufactured prior to January 1, 1931. Mirrors also are not required on a motorcycle or motor-driven cycle over 25 years old that is ridden in conjunction with an antique or classic motorcycle event.

According to the 1995 Traffic Safety Facts: (a) 26 states require all riders to wear helmets; (b) 18 states require riders under the age of 18 to wear helmets; and (c) three states have no helmet usage law--Colorado, Illinois and Iowa. In the remaining four states: (a) Delaware requires helmets for those under 19; (b) Maine requires those under 15, first-year operators, novices, and the holder of a learner's permit to wear a helmet; (c) Ohio requires helmets for those under the age of 18 and novices; and (d) Rhode Island requires those under 21 and novices to wear helmets. These statistics include all 50 states and the District of Columbia.

**Summary of Bill:** No person under the age of 21 may ride a motorcycle, motor-driven cycle or moped without wearing a commercially manufactured motorcycle helmet.

The requirement that motorcycle equipment (glasses, goggles, face shields and helmets) conform with State Patrol rules is deleted. The helmet standard is simply a commercially manufactured motorcycle helmet.--

A person who sells or rents out motorcycles must have commercially manufactured helmets on hand; a person who rents a motorcycle must have a helmet in his/her possession. Mirrors are not required on a motorcycle or motor-driven cycle over 25 years old; the antique or classic motorcycle event is removed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Usage is a matter of freedom of choice--let those who ride decide. There is considerable confusion over what types of helmets are legal under WSP rules.

**Testimony Against:** The focus should be prevention. Long-term care is usually not covered by insurance and those costs are absorbed by the state--let those who pay decide.

**Testified:** Representative Jerome Delvin, prime sponsor (pro); Representative Scott Smith (pro); Representative Joyce Mulliken (con); Karen Bolin, ABATE of Washington (pro); Shelly Yonker, Washington Riders Legislative Task Force (pro); Martin Fox, National Coalition of Washington and ABATE (pro); Don Beckman, firefighter (pro); Bonnie Ecker, American Motorcyclist Association (pro); John Moffat, Traffic Safety Commission (con); Marsh Pugh, Washington State Patrol (con); Susie Tracy, Washington State Medical Association and Shepard Ambulance (con); Dr. Maxine Hayes, Department of Health (con); Warren Yonker, Everett motorcyclist (pro); Mel Sorensen, National Association of Independent Insurers and Washington Physicians Society (con); John Bolin, ABATE (pro); Nick Federici, Washington State Nurses Association and Washington Ambulance Association (con); Larry Walker, ABATE (pro); Russel Orr, ABATE (pro); Aryic Martin, Cowlitz County ABATE (pro); Jack Zektzer, citizen (pro); Marvin Magures, ABATE (pro); James Blowers, North Snohomish County ABATE (pro); Ralph Imler, ABATE (pro); and Michael Rene, citizen (pro).